

Suzanna Bowling Ramos

461 West 49th Street #A

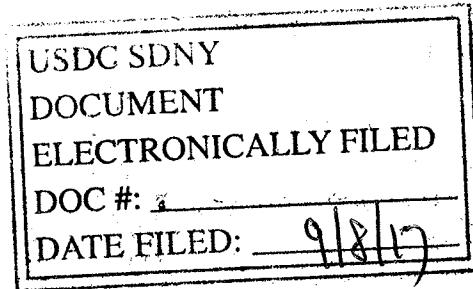
NYC NY 10019

212 245-1071

suzannabowling@hotmail.com

Pro Se

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2017 SEP -8 PM 3:41
S.D. OF N.Y.



**UNITED STATES DISTRICT COURT SOUTHERN
DISTRICT OF NEW YORK**

CHRISTOPHER SADOWSKI, Plaintiff,

v.

SUZANNA BOWLING, AN INDIVIDUAL D/B/A/
TIMES SQUARE CHRONICLES; DAVID BASCH, AN
INDIVIDUAL D/B/A/ TIMES SQUARE
CHRONICLES,

Defendants.

Case No. 1:17-CV-03954

Answer

Request for Dismissal

1: Plaintiff Christopher Sadowski, in his own Certificate of Registration VA 2-019-490 shows that the photograph

in question was not even registered until April 26, 2016 (Exhibit A).

2: We published December 14, 2015. (Exhibit B)

3: This is a very public event that Ms. Adams puts on yearly at Christ Church. Most of the photos all look the same, as she wears almost the same outfit every year and poses the same way.

4: In the photo of November 30 2014 the caption underneath the picture states that it was from 2013's Blessing. (Exhibit C)

5: The only photo I was ever shown until this complaint was of September 26, 2013 (Exhibit D), which is vastly different.

6: I am enclosing two pictures from John Catsimatidis twitter showing the outfit from 2015. (Exhibit's E and F)
Same outfit.

7: In 2017 alone Mr. Sadowski and Higbee Associates filed 32 lawsuits in the New York Civil Court alone. In 2016 they filed 26. Other people have been harassed the same way I was with the Certificate of Registration's filed after the fact. (Exhibit G, 6 pages)

8: The harassment started April 19, 2016. See e-mail correspondence of 9/7/17 where Mr. Harutunian from Higbee Associates states this fact. This is 10 days before the Certificate of Registration. (Exhibit H, 10 pages)

9: In the e-mails in Exhibit H, Mr. Harutunian states that they never asked for a 6-figure settlement. See letter dated February 23, 2017 where they ask for \$150,000.00.
(Exhibit I)

10: How can there be a copyright infringement, even if this was their photo, if it was registered after the fact?

11: I cannot provide the original photo, as it was taken in 2015 and the person who took it now has an advanced case of Alzheimer's.

12: I was not approached until April 19, 2016, four months after we published. At first I thought this was a joke, but several phone calls to my home, numerous e-mails and letters and I began to realize this was no laughing matter.

13: Higbee Associates claim I was hard to reach, but they have been mailing, e-mailing and calling me since April 19, 2016, which is why I finally told them to sue me (See #29 of their complaint). I couldn't take the daily calls and e-mails.

14: They only sued me when David Basch's bio appeared on the website. They have yet to have served David as he lives in Florida.

15: In # 17 of the complaint it states that Mr. Sadowski licensed the photo to the New York Post September 2016, yet this photo as stated by the link is 2013.
<http://pagesix.com/2013/09/26/some-of-the-most->

important-things-people- need-in-life/. All the dates on the Registration of Certification do not add up. According to Exhibit A Mr. Sadowski took this in 2009 and published it November 30, 2014 and registered it April 26, 2016. This certification makes no sense.

16: As for the second and or third picture we were completely set up. I was sent the article and pictures by e-mail and asked to publish. I happened to have been walking past this crime on my way home from a party, I knew about it. We checked to see if anyone had published or had the rights and found it all over social media, so we published. Until this complaint we had no idea this was Mr. Sadowski's. This complaint was the first time we had ever heard about it, which is odd considering how many e-mails, letters and phone calls happened prior to this.

17: If these two pictures are copyrighted then neither the court nor I have seen the copyright.

18: My guess is that the copyright, if it exists is again after the fact.

19: We would be more than happy to take either of these down, as they generate nothing for us. We were never asked to take them down, just pay up.

20: This website and newspaper make no money. The reason it has survived is my friends have taken out ads to keep it and me alive.

21: This paper started due to an injury and several

medical problems that showed themselves after the fact. Due to all of this I am currently on government assistance.

22: Though we have advertising rates up does not mean that we get them. Currently out of all the ads that are up there only one is paid. It actually came aboard last night and they paid \$250.00. All the others are helping young playwrights and one is an old ad from a friend.

23: The cost to run the site runs approximately \$160.00 a month. The paper costs in the thousands.

24: Due to having an operation and the complete stress of this lawsuit, I have not been able to put out a paper since early June.

25: The plaintiff states on #23 that that I have used Mr. Sadowski's images to promote my business, which is untrue. We publish at least 5 articles a day. Articles last on the front page less than 24 hours and around the holidays less than that.

26: On #24 it states I knew, I did not posses the rights to these photos, is again untrue. We publish articles sent to us by people all the time. This is a community paper. We get sent at least 200 requests a day to publish. What Mr. Sadowski has done, has made it so I no longer trust these submissions.

27: We try and do due diligence on every article, we check copyrights, and or approach the photographer to

ask permission. Mr. Sadowski's copyrights are all after the fact.

28: Nothing we have done is deliberate or willfully out to hurt anyone. We are trying to do a community service. We are more than happy to take any of these down, but we've never been asked, only threatened, harassed and sued.

29: It is not true that on April 25, 2016 I called Higbee Associates and refused anything. I have only called Higbee on one occasion and that was to get an extension of answering this complaint, which they refused to respond to (Exhibit J).

30: Higbee Associates has played underhandedly since the beginning. A prime example is they filed this case May 24, 2017. I heard about this from three different law firms before I was served over a month later. I am very easy to find and they choose after I had gotten out of the hospital to finally serve me.

31: Even if we had knowingly infringed on Mr. Sadowski's work the top photographer at Getty or the AP only gets \$175.00 for an A list photo as we use the small size as seen on our site. (Exhibit J).

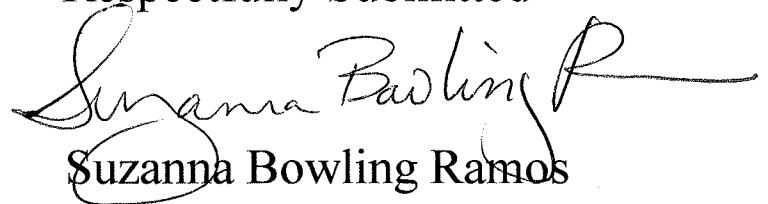
<http://www.gettyimages.com>

32: If I am not mistaken, in order to infringe on a copyright we have to have published after the Certification of Copyright, which we did not. The

copyright has to be provided, which it was not on photo's two and three and we had to have profited, which we have not. Therefore I ask respectfully for this case to be dismissed.

Upon your honors request we will be more than willing to delete both these articles and supply any more information to the court. I did not want to burden the court with all the e-mails, but I have most of them.

Dated: September 8, 2017 Respectfully Submitted



Suzanna Bowling Ramos

461 West 49th Street #A

NYC NY 10019

212 245-1071

EXHIBIT A

Case No. 1:17-CV-03954

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

A handwritten signature in black ink that reads "Maria A. Pallante".

United States Register of Copyrights and Director

Registration Number

VA 2-019-490

Effective Date of Registration:
April 26, 2016

Title

Title of Work: 121309blessing2CS

Completion/Publication

Year of Completion: 2009
Date of 1st Publication: November 30, 2014
Nation of 1st Publication: United States

Author

- **Author:** Christopher Sadowski
- Author Created:** photograph
- Citizen of:** United States
- Domiciled in:** United States
- Year Born:** 1982

Copyright Claimant

Copyright Claimant: Christopher Sadowski
46 Viola Avenue, Clifton, NJ, 07011, United States

Rights and Permissions

Name: Christopher Sadowski
Email: cdsadowski@aol.com
Telephone: (973)650-5382
Address: 46 Viola Avenue
Clifton, NJ 07011 United States

Certification

Name: Christopher Sadowski
Date: April 26, 2016

EXHIBIT B

Case No. 1:17-CV-03954



Blessing To The Animals

COLOR
DECEMBER
14, 2012



New York
Post columnist Cindy Adams invited pet parents to Christ Church of Manhattan at 524 Park Ave., for the annual free Blessing of the Animals event. This event draws a passionate and distinguished crowd



EXHIBIT C

Case No. 1:17-CV-03954

Blessed be the animals

By Cindy Adams

November 30, 2014 | 11:35pm



Cindy Adams at last year's Blessing of the Animals.



MORE FROM: **CINDY ADAMS**

[What to expect at this year's New York Film Festival](#)

[Emily Blunt horror flick filming at 'haunted' house](#)

[Inside the final Hamptons bashes of the summer](#)

[Looking back on September 11 as the anniversary approaches](#)

[Inside Nobu's latest New York location](#)

A divine development in my Sunday, Dec. 7, 2 p.m. one-hour annual Blessing of the Animals at Christ Church, 60th and Park. Present will be His Eminence the Cardinal.

Free to all, open-seating, no reservations, no human without a pet; no pet without a parent.

Ecumenical with Christ Church's Senior Minister Stephen Bauman and, for the Jewish dogs, cats, parrots, turtles, gerbils, Senior Rabbi Peter Rubinstein. Cardinal Dolan's ministry, being the whole New York flock, includes its furry and feathered. We're not talking just the Catholic ones. If your poodle doesn't even go to mass, he'll bless it.

Our Uniondale High School Show Choir starts the program. Joining our procession to the altar for Blessing will be rescues from Best Friends Society, farm animals from Farm to You Revue, police dogs introduced by Commissioner Bill Bratton. Outside will be police horses. We assured His Eminence they weren't parading down the center aisle.

The Blessing is co-presented by Best Friends Animal Society, Cornell College of Veterinary Medicine, Baker Institute for Animal Health and the New York Post. The church, which seats about 750, will be jammed to capacity, so come early.

Another new development. I had to do a dress rehearsal with temperamental Petunia the Pig. Petunia's a porker. A hog. Fat as a pig. However, like our fashion models, if she

EXHIBIT D

Case No. 1:17-CV-03954



CINDY ADAMS

Some of the most important things people need in life

By Cindy Adams

September 26, 2013 | 10:29pm



Christopher Sadowski

So what in life do you most want, love, need? If you had to do without it, what would make you miserable?

Me, my eyelids have less hair than Patrick Stewart's bald head. I can't survive without false lash glue. And, since Our Father Which Art in the Makeup Room created eyebrows with what he didn't stick on my lids, I also require industrial strength tweezers. Pliers would be better.

Dogs. My pesty cranky Yorkies I love so much I'd leave them my apartment if they could pay the maintenance. Juicy, 3 1/2 pounds of pure

EXHIBIT E

Case No. 1:17-CV-03954



John Catsimatidis © @JCats2013 · 14 Dec 2015
Cindy Adams Blessing of the Animals at Christ Church @nypost
Bill Bratton,Rikki Klieman,John & Margo CATS,dog Nikki

EXHIBIT F

Case No. 1:17-CV-03954



John Catsimatidis @JCats2013 · 14 Dec 2015
Cindy Adams Blessing of the Animals at Christ Church @nypost
Bill Bratton, Rikki Klieman, John & Margo CATS, dog Nikki

EXHIBIT G

Case No. 1:17-CV-03954

32 Lawsuits alone in 2017

26 in 2016

You can find them all on this site.

<https://dockets.justia.com/search?query=Sadowski&page=10>

Other people who were harassed and went through the same thing as me

<http://newyorkcourtcorruption.blogspot.com/2014/08/attorney-ben-d-manevitz-threatens-betsy.html>

Betsy Combier
Editor and news reporter for New York Court Corruption.

Sadowski v. I Can Haz, LLC

Filed: February 23, 2017 as 1:2017cv01387

Plaintiff: Christopher Sadowski

Defendant: I Can Haz, LLC

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

SADOWSKI v. ZAMAN, LTD.

Filed: March 13, 2017 as 2:2017cv01697

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: ZAMAN, LTD.

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

SADOWSKI v. WORLD JOURNAL, LLC.

Filed: March 9, 2017 as 2:2017cv01594

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: WORLD JOURNAL, LLC.

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

Sadowski v. Entravision Communications Corpration

Filed: March 2, 2017 as 1:2017cv01573

Plaintiff: Christopher Sadowski

Defendant: Entravision Communications Corporation

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Indo US Media, Inc.

Filed: May 9, 2017 as 2:2017cv02832

Defendant: Indo US Media, Inc.

Plaintiff: Christopher Sadowski

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Eastern District Court

Type: Intellectual Property › Copyright

Sadowski v. Mommy Nearest, Inc.

Filed: May 5, 2017 as 1:2017cv03371

Plaintiff: Christopher Sadowski

Defendant: Mommy Nearest, Inc.

Cause Of Action: Remedies for Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Fashion Times LLC

Filed: April 26, 2017 as 1:2017cv03061

Plaintiff: Christopher Sadowski

Defendant: Fashion Times LLC

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Maitland

Filed: April 24, 2017 as 7:2017cv02986

Plaintiff: Christopher Sadowski

Defendant: Patrick Maitland

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

SADOWSKI v. FODA

Filed: April 24, 2017 as 1:2017cv02798

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: RASHA B. FODA

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

Sadowski v. JVC Broadcasting Corp.

Filed: April 13, 2017 as 2:2017cv02249

Defendant: JVC Broadcasting Corp.

Plaintiff: Christopher Sadowski

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Eastern District Court

Type: Intellectual Property › Copyright

Sadowski v. Pakistan Muslim League USA, Inc.

Filed: April 11, 2017 as 1:2017cv02202

Defendant: Pakistan Muslim League USA, Inc.

Plaintiff: Christopher Sadowski

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Eastern District Court

Type: Intellectual Property › Copyright

SADOWSKI v. CENTER FOR SECURITY POLICY, INC.

Filed: March 27, 2017 as 2:2017cv02011

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: CENTER FOR SECURITY POLICY, INC.

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

Sadowski v. Richard Gottlieb & Associates, LLC

Filed: June 28, 2017 as 1:2017cv04900

Plaintiff: Christopher Sadowski

Defendant: Richard Gottlieb & Associates, LLC

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Real Clear Holdings, LLC.

Filed: May 31, 2017 as 1:2017cv04145

Plaintiff: Christopher Sadowski

Defendant: Real Clear Holdings, LLC.

Cause Of Action: Copyright Infringement

Court: Seventh Circuit › Illinois › Illinois Northern District Court

Type: Intellectual Property › Copyrights

Sadowski v. NBCUniversal Media, LLC

Filed: May 26, 2017 as 1:2017cv03994

Plaintiff: Christopher Sadowski

Defendant: NBCUniversal Media, LLC

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Bowling et al

Filed: May 24, 2017 as 1:2017cv03954

Plaintiff: Christopher Sadowski

Defendant: Suzanna Bowling, David Basch

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. BackChina, LLC.

Filed: May 22, 2017 as 4:2017cv01562

Plaintiff: Christopher Sadowski

Defendant: BackChina, LLC.

Cause Of Action: Copyright Infringement

Court: Fifth Circuit › Texas › Texas Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. JammedUp, LLC.

Filed: May 12, 2017 as 1:2017cv03579

Plaintiff: Christopher Sadowski

Defendant: JammedUp, LLC.

Cause Of Action: Remedies for Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. Sims Buick- GMC Truck, Inc.

Filed: May 11, 2017 as 4:2017cv00998

Plaintiff: Daniel Sadowski

Defendant: Sims Buick-GMC Truck, Inc. , William Sims

Cause Of Action: Family Medical Leave Act

Court: Sixth Circuit › Ohio › Ohio Northern District Court

Type: Civil Rights › Employment

Derrick Smith v. Bonita Hoffner, et al

Filed: May 10, 2017 as 17-1534

Plaintiff - Appellant: DERRICK LEE SMITH

Defendant - Appellee: BONITA J. HOFFNER, DANIEL H. HEYNS, Director, MDOC, LINDA BECKWITH, Deputy Warden

Court: Sixth Circuit U.S. Court of Appeals, Sixth Circuit

Type: Prisoner Petitions › Prison Condition

SADOWSKI v. HARTFORD LIFE AND ACCIDENT INSURANCE CO.

Filed: May 10, 2017 as 2:2017cv03313

Plaintiff: CHRISTINE L. SADOWSKI

Defendant: HARTFORD LIFE AND ACCIDENT INSURANCE CO.

Cause Of Action: E.R.I.S.A.-Employee Benefits

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Labor › Employee Retirement Income Security Act of 1974

Sadowski v. Hurricane Podcast Group, Inc. et al

Filed: May 10, 2017 as 1:2017cv03510

Plaintiff: Christopher Sadowski

Defendant: Hurricane Podcast Group, Inc., Does 1-5

Cause Of Action: Remedies for Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyrights

Sadowski v. The New York Observer LLC

Filed: August 24, 2017 as 1:2017cv06479

Plaintiff: Christopher Sadowski

Defendant: The New York Observer LLC

Cause Of Action: Remedies for Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyright

Etopia Evans, et al v. Arizona Cardinals, et al

Filed: August 23, 2017 as 17-16693

Plaintiff - Appellant: ETOPIA EVANS, as the Representative of the Estate of Charles Evans, ERIC KING, ROBERT MASSEY and others

Defendant - Appellee: ARIZONA CARDINALS FOOTBALL CLUB, LLC, ATLANTA FALCONS FOOTBALL CLUB LLC, BUCCANEERS, LP and others

Court: Ninth Circuit U.S. Court of Appeals, Ninth Circuit

Type: Torts - Injury › Other Personal Injury

Sadowski v. Bleacher Report, Inc.

Filed: August 22, 2017 as 1:2017cv06406

Plaintiff: Christopher Sadowski

Defendant: Bleacher Report, Inc.

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyright

Sadowski v. Bravo Media LLC

Filed: August 21, 2017 as 1:2017cv06310

Plaintiff: Christopher Sadowski

Defendant: Bravo Media LLC

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Southern District Court

Type: Intellectual Property › Copyright

Gents v. Blackmon et al

Filed: July 31, 2017 as 2:2017cv12476

Plaintiff: Dennis Allen Gents

Defendant: Sharon D. Blackmon, Thomas Quasarano, Detroit, City of and others

Court: Sixth Circuit › Michigan › Michigan Eastern District Court

Type: Other Statutes › Other

Sadowski v. Cox Media Group, LLC

Filed: July 18, 2017 as 2:2017cv04265

Defendant: Cox Media Group, LLC

Plaintiff: Christopher Sadowski

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Eastern District Court

Type: Intellectual Property › Copyright

Sadowski v. Cox Media Group, LLC

Filed: July 18, 2017 as 1:2017cv04265

Defendant: Cox Media Group, LLC

Plaintiff: Christopher Sadowski

Cause Of Action: Copyright Infringement

Court: Second Circuit › New York › New York Eastern District Court

Type: Intellectual Property › Copyright

Sadowski v. Abbott Connection, Ltd. et al

Filed: June 29, 2017 as 1:2017cv04891

Plaintiff: Christopher Sadowski

Defendant: Abbott Connection, Ltd., Midwest Limousine and Transportation Services, Ltd.

Cause Of Action: Copyright Infringement

Court: Seventh Circuit › Illinois › Illinois Northern District Court

Type: Intellectual Property › Copyrights

SADOWSKI v. SPEEDNET GROUP LLC

Filed: June 28, 2017 as 3:2017cv04783

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: SPEEDNET GROUP LLC

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

SADOWSKI v. IDRIVETHRU.COM, INC.

Filed: June 28, 2017 as 3:2017cv04781

Plaintiff: CHRISTOPHER SADOWSKI

Defendant: IDRIVETHRU.COM, INC.

Cause Of Action: Copyright Infringement

Court: Third Circuit › New Jersey › New Jersey District Court

Type: Intellectual Property › Copyrights

EXHIBIT H

Case No. 1:17-CV-03954

**Re: Case 1:17-cv-03954-JPO Sadowski v.
Bowling et al Order**

Suzanna Bowling

Today, 3:59 PM

Let me state this again.

Your client did not even register this picture until April 26, 2016.
Look at your own paper work.

He also claims to have completed this work in 2009, which makes no sense. First publication 2014, where the articles states the picture was from 2013.

We published December 14, 2015.

On February 23, 2017 your office claimed to be asking for \$150,000. I have the letter.

There are several on-line articles about your law firm and Mr. Sadowski. As I stated I contacted the other people having this same problem.

Thank-you, you just proved my point that your company and Mr. Sadowski started contacting me ten days before the photo is registered. **demand in the demand packet sent to you on April 19, 2016.**

Let me state this again.

Your client did not even register this picture until April 26, 2016.
Look at your own paper work.

He also claims to have completed this work in 2009, which makes no sense. First publication 2014, where the articles states the picture was from 2013.

We published December 14, 2015.

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Thank-you, you just proved my point that your company and Mr. Sadowski started contacting me ten days before the photo is registered. **demand in the demand packet sent to you on April 19, 2016.**

I have no money. I have been on government assistance since last November due to all my medical issues.

I will filling my response and sending it tomorrow.

*Suzanna Bowling
Co-Owner/Publisher
Times Square Chronicles
www.t2conline.com
"Times Square Beat"
Drama Desk
Outer Critic
Office: 212 245-1071
Cell: 646 853-1799*

From: Michael Harutunian <mharutunian@higbeeassociates.com>
Sent: Thursday, September 7, 2017 2:49 PM
To: Suzanna Bowling
Cc: Naomi Sarega; Steven Lavallee
Subject: Re: Case 1:17-cv-03954-JPO Sadowski v. Bowling et al Order

Ms. Bowling,

We do not believe this case will be dismissed and are confident in the fact that it has true merit. It is unfortunate that you consider our attempts of settlement "threats." Your false accusations of our law firm having some sort of MO is not appreciated, as we strive to protect our client's copyrights and zealously advocate for their rights. I am contacting you because, as I stated in my earlier e-mails, I am assisting Mr. Ngo in resolving this case. Mr. Ngo, who is licensed to practice in New York is the named attorney and is handling this case. Never has Mr. Sadowski asked you for a six figure settlement amount. As a matter of fact, his initial settlement demand in the demand packet sent to you on April 19, 2016 was in the amount of \$2,500. Mr. Sadowski has been attempting to settle the matter for over a year - since no reasonable offers were made by you, Mr. Sadowski was forced to file the suit. Naturally, due to costs, expenses, and extended time spent on the matter, the demand amount has increased. Even now, Mr. Sadowski's demand is nowhere near a six figure demand as he is willing to settle the matter for \$15,500. Let me know if this is acceptable or not, or if you have a counter offer. Thanks in advance.

Sincerely,

Michael Harutunian, *Of Counsel* - Copyright Division
CA Bar #314666

Law Firm of Higbee & Associates (<http://www.higbeeassociates.com>)
1504 Brookhollow Dr., Suite 112, Santa Ana, CA 92705
Phone: (800) 716-1245 ext. 157 - Fax: (714) 597-6559

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On Sep 6, 2017, at 5:49 PM, Suzanna Bowling
<suzanna@t2conline.com> wrote:

Dear Mr. Harutunian,

It seems this is a case for the court and again I am asking for a dismissal of this case

You claimed to have tried to settle this amicably, but all your law firm ever did was threaten me and I stated this several times in e-mails.

You do this to every person Mr. Sadowski has sued. I know because I contacted them. People have MO.'s and so does your law firm. As a matter of fact I do not understand why it is you who is contacting me, considering you are only licensed to practice law in California.

We published and took this picture on or near December 14, 2015. According to your certification of registration the year of completion was 2009, your picture was published November 30,

Case 1:17-cv-03954-JPO-DCF Document 14 Filed 09/08/17 Page 32 of 38
2014 and the certification wasn't until April 26, 2016. None of these dates make sense.

There are differences between the two photo's.

Your client waited 4 months and then wanted 6 figures. As I stated I have no money, nor does the site. You think I am kidding, but I am not.

You only came after me legally when my co-owner put his bio on the site.

Again you have been contacting me and yet when I asked for an extension all of a sudden you stopped communication. That is why the court granted me the extension, because you would not communicate.

Sincerely,
Suzanna

*Suzanna Bowling
Co-Owner/Publisher
Times Square Chronicles
www.t2conline.com
"Times Square Beat"
Drama Desk
Outer Critic
Office: 212 245-1071
Cell: 646 853-1799*

From: Michael Harutunian <mharutunian@higbeeassociates.com>

To: Suzanna Bowling

Cc: Steven Lavallee; Naomi Sarega

Subject: Re: Case 1:17-cv-03954-JPO Sadowski v. Bowling et al Order

Hello Suzanna,

Thank you for your response. Am I correct in understanding that you claim the Image in question to be taken by yourself or your agent instead of Mr. Sadowski? I believe we have provided you with enough information including the original Image and the copyright registration to establish that Mr. Sadowski is the actual owner of the Image. In any case, this is a issue that may be better resolved through discovery in the process of litigation, if you wish it so. I am sorry that you viewed our attempts of amicable resolution prior to filing the Complaint with this Court as “harassment” when in reality our client simply strives to protects his copyrights and be justly compensated for any unauthorized use of his hard-earned work. You state that “nobody ever asked [you] if [you] did this,” yet we have been in communications to resolve this matter since early 2016, which you also refer to as “harassment.” We are not accusing you of any criminal actions for you to be innocent until proven guilty, Mr. Sadowski is simply protecting his intellectual property through avenues provided to him by law.

Because Mr. Sadowski’s Image was timely registered, as this has been previously explained to you, he is entitled to statutory damages provided by Title 17 U.S.C. § 504(c) and is not required to prove market value or prior licensing fees; albeit, Mr. Sadowski is a highly established photographer and would have no issues establishing value for his photographs. I am also sorry you had an injury, but this extension was granted by the court for that very reason. In any case, as previously mentioned, Mr. Sadowski is still willing to resolve the matter amicably and as such I kindly ask if

you have any offer to settle this matter, which I can relay to him. Please let me know your position so that we may move forth accordingly. If you have any questions or concerns, please do not hesitate to contact me. Thank you in advance.

Sincerely,

Michael Harutunian, *Of Counsel* - Copyright Division
CA Bar #314666
mharutunian@higbeeassociates.com
Law Firm of Higbee & Associates (<http://www.higbeeassociates.com>)
1504 Brookhollow Dr., Suite 112, Santa Ana, CA 92705
Phone: (800) 716-1245 ext. 157 - Fax: (714) 597-6559

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On Sep 5, 2017, at 5:21 PM, Suzanna Bowling
<suzanna@t2conline.com> wrote:

Hi Michael,

I am handling this pro-se and asking for a dismissal of this case, due to the fact we published and took this picture on or near December 14, 2015. According to your certification of registration the year of completion was 2009, your picture was published November 30, 2014 and the certification wasn't until April 26, 2016. I started being harassed by your company in May

of Case 6:17-cv-03954-JEP Document 14 Filed 09/08/17 Page 15 of 68
until proven guilty? Not according to your law firm. None of these dates make sense.

I explained in several e-mails this was not Mr. Sadowski's picture and NOBODY wanted to talk to me about it without a 5 figure fee. Even Getty's fee is under \$600.00 for a top newspaper and they have several of the same pictures. You came after me 5 months after the fact. It seems Mr. Sadowski and your firm have a history of this.

If you go to google you will see there are several pictures of Cindy that almost all look the same from 2015. This is a public event. It happens every year.

There are differences, though slight between the two pictures.

As for the second picture, the answer to that will be in my response.

For all those months you harassed me over this, I was suppose to stay out of stress, due to medical issues. I told your firm about this and none of you cared. I have no money, the paper makes no money and I can prove this. You only came after me legally when my co-owner put his bio on the site. He is there in name only. He came onto the paper because I had been sick and injured to help me survive. When you served me, I had just had a total hip transplant. The day I was served I had just gotten home. There ended up being complications with the medication and so I contacted your firm and Mr. Ngo. All of a sudden your firm was silent. I have been open to communication, but when I asked for an extension suddenly NOBODY wanted to talk to me, which I have proof of, so I went to the judge. I will have paper work ready to serve by Friday.

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You have had my phone number since May of 2016, because your firm called me numerous times.

I am willing to communicate but communication is a two way streak.

Sincerely,
Suzanna

Suzanna Bowling
212 245-1071

From: Michael Harutunian <mharutunian@higbeeassociates.com>
Sent: Tuesday, September 5, 2017 6:19 PM
To: suzanna@t2conline.com
Cc: Steven Lavallee; Naomi Sarega; Ray Ngo
Subject: Re: Case 1:17-cv-03954-JPO Sadowski v. Bowling et al Order

Hi Suzanna,

My name is Michael Harutunian, I am an attorney with the Law Firm of Higbee & Associates, assisting Mr. Ray Ngo in this case. It is my understanding that your answer to the complaint is due September 09, 2017. Please let me know if you have retained an attorney so that we may direct all communications to him or her. Otherwise, I would like to open up a line of communication with respect to amicable resolutions of this matter and a fair settlement. Please let me know if you are willing to discuss this matter and if so provide me with a telephone number. Thank you in advance.

Sincerely,

EXHIBIT I

Case No. 1:17-CV-03954

RADIO CITY
322 W 52ND ST
NEW YORK
NY
10019-9998
3596550055
09/08/2017 (800)275-8777 2:17 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SANTA ANA, CA 92705) (Weight: 0 Lb 7.70 Oz) (Expected Delivery Day) (Monday 09/11/2017)	1	\$2.45
Certified Mail (#) (70170660000118524202)	1	\$3.35
Return Receipt (#) (9590940228537069325408)	1	\$2.75
Total		\$8.55

Credit Card Remitd \$8.55
(Card Name:MasterCard)
(Account #:XXXXXX XXXXXX3116)
(Approval #:432911)
(Transaction #:447)

Text your tracking number to 28777
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See Reverse for Instructions		
09/08/2017		